

FOR: CONTINUATION OF THE INDIANA CRIMINAL LAW STUDY
COMMISSION

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, Indiana's Criminal Code, Corrections Code and Juvenile Code are so interrelated that they actually constitute a system; and there is a continuing need to monitor each area and analyze the impact of a change in one area upon the other; and the procedures necessary to implement each of these codes are also so interrelated that they should be considered as a whole when revision of any one is proposed; and

WHEREAS, under the "Omnibus Crime Control and Safe Streets Act" of 1968, appointment of an Indiana Criminal Law Study Commission is encouraged for the purpose of presenting rational and cohesive proposals for fair and efficient administration of criminal justice in Indiana; and

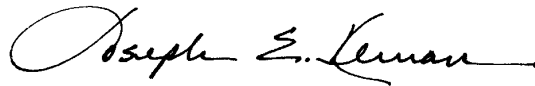
WHEREAS, it would be beneficial to the State of Indiana to continue such a Commission in an effort to coordinate criminal law, juvenile law and correctional law study;

NOW, THEREFORE, I, Joseph E. Kernan, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The Indiana Criminal Law Study Commission is reestablished and continued.
2. The Commission shall be composed of no more than twenty (20) persons who, by virtue of their experience and expertise, are knowledgeable in criminal law, juvenile law and correctional law.
3. The Commission shall have as its major purpose to study and propose revisions in criminal procedure and to monitor the Criminal Code, Juvenile Code, and Corrections Code. The Commission shall draft recommendations for legislative or court approval that would ensure just and efficient operation of the criminal justice system. It is believed that simplicity and efficiency are better served by having the law affecting the component parts of the criminal justice system studied as a whole rather than as separate entities.
4. The Commission shall carry out the following specific functions in recommending revisions or changes in the criminal justice system:
 - (a) Assure the fundamental human rights of individuals and preserve the public welfare;
 - (b) Assure fairness of administration of justice, including the elimination of unjustifiable delay in proceedings;
 - (c) Provide for the just determination of every criminal and juvenile proceeding by fair and impartial trial or hearing and an adequate review;
 - (d) Seek simplicity in procedure in the criminal justice system; and
 - (e) Determine the availability and the desirability of grant assistance as may be provided under the terms of the "Omnibus Crime Control and Safe Streets Act" of 1968.

5. Members of the Commission shall be appointed by and serve at the pleasure of the Governor, with the membership of the Commission to be appointed on a non-partisan basis.
6. Those persons already appointed to the Commission shall continue in office under this Order.
7. The chairperson, vice-chairperson and secretary shall be appointed by and serve at the pleasure of the Governor.
8. The Indiana criminal justice institute shall staff the Commission and provide administrative support.
9. A majority of the membership shall constitute a quorum of the Commission. The affirmative vote of a majority of the membership present at the time of voting shall be required to transact any business of the Commission.
10. Each member shall be entitled to receive as reimbursement all traveling and necessary expenses incurred in the performance of his duties as a member of the Commission in accordance with state law and with travel policy and procedures as may be established by the Department of Administration and the State Budget Agency.
11. The Commission may delegate to any one or more of its members or agents such powers as it may deem proper.
12. This Order is effective as of September 13, 2003.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 1st day of October, 2003.



Joseph E. Kernan
Governor of Indiana

ATTEST: Todd Rokita
 Secretary of State